

Senate Resolution 363

By: Senators Grant of the 25th, Tarver of the 22nd, Unterman of the 45th, Hill of the 4th, Goggans of the 7th and others

ADOPTED

A RESOLUTION

Creating the Mental Health Service Delivery Commission; and for other purposes.

WHEREAS, recent tragic events in the state mental hospitals, including the death and alleged abuse or neglect of Georgia's citizens living with mental illness, necessitate a comprehensive assessment of Georgia's mental health system and immediate responses to its inpatient and community based systems; and

WHEREAS, the State of Georgia has historically exercised the responsibility for the safety and care of its citizens who live with mental illnesses, developmental disabilities, and substance abuse; and

WHEREAS, this responsibility has primarily resided in the Department of Health and later the Department of Human Resources which have administered and developed the state's public hospitals and its system of community care delivered through public and private facilities and individual providers; and

WHEREAS, the Department of Human Resources also manages Georgia's foster care system for children and adolescents in state custody, many of whom have suffered from abuse and neglect with resulting needs for behavioral health services and supportive foster families; and

WHEREAS, at the same time, Georgia's citizens who live with these conditions also reside in and sometimes receive treatment services from the Departments of Juvenile Justice, the Department of Corrections, and Georgia's local jails; and

WHEREAS, these systems and agencies have endured a decline in resources and staffing in the last decade, resulting in fragmented and often inadequate service delivery systems; and

WHEREAS, this decline in resources has manifested itself in deaths and escapes from our state mental hospitals and the housing of too many citizens living with mental illness,

developmental disabilities, and substance abuse in correctional systems not designed for treatment;

WHEREAS, Georgia needs an ongoing, effective advocacy system for children and adults living in and receiving services through its systems; and

WHEREAS, most of Georgia's citizens in need of mental health, developmental disabilities, and substance abuse services can be safely housed and treated in our communities closer to their families with effective supports delivered by public and private providers and peer counselors; and

WHEREAS, Georgia has appropriately articulated and sought, but not yet fulfilled, a policy of de-institutionalization that holds promise for better allocation of resources and more sensitive services for its citizens and their families who endure mental illness, developmental disabilities, and substance abuse; and

WHEREAS, the response to these issues requires the appropriate sizing and adequate staffing of our hospitals for Georgia's growing population and the full development and coordination of our community treatment and housing resources; and

WHEREAS, forging and coordinating that effort requires leadership and a multifocused, multiagency plan for the new century; and

WHEREAS, the General Assembly desires and seeks timely and effective action to ensure that the following challenges are addressed and solutions implemented in the immediate, short, and long terms:

- (1) Assess the needs of our citizens, both children and adults, for improved behavioral health services and resources wherever they reside;
- (2) Adequately size, staff, and secure our state hospitals for Georgia's population, taking into account which patients can be safely housed in community settings;
- (3) Use public and private community resources to relieve overcrowding in state facilities and to develop the full continuum of services and effective supports so Georgia's citizens who live with mental illness, developmental disabilities, and substance abuse may live and work when possible close to their families;

- (4) Divert Georgians in need of treatment and assistance to community based resources whenever appropriate and provide adequate forensic and treatment services in our institutions;
- (5) Aggressively develop housing and employment opportunities in our communities;
- (6) Assure parity in insurance benefits coverage for mental health, developmental disabilities, and substance abuse care so that health issues resulting from lack of adequate treatment are reduced and all our financing resources are used to destigmatize and treat mental illness, developmental disabilities, and substance abuse; and
- (7) Develop an organizational plan to coordinate or revitalize the agencies involved in mental health, developmental disabilities, and substance abuse services or the financing of those services.

NOW, THEREFORE, BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA that there is created the Mental Health Service Delivery Commission to be composed of three members of the Senate appointed by the President of the Senate; three members of the House of Representatives appointed by the Speaker of the House of Representatives; a superior court judge experienced in dealing with mental illness, developmental disabilities, and substance abuse appointed by the Council of Superior Court Judges; three citizens appointed by the President of the Senate to represent patients served by the systems described in this resolution, the advocacy groups for mental health, developmental disabilities, or substance abuse, and the law enforcement community; and three citizens appointed by the Speaker of the House of Representatives to represent patients served by the systems described in this resolution, the advocacy groups for mental health, developmental disabilities, or substance abuse, and the law enforcement community. The Speaker of the House of Representatives shall designate a member of the House and the President of the Senate shall designate a member of the Senate to serve as cochairpersons of the committee. The commission shall meet at the call of the cochairpersons.

BE IT FURTHER RESOLVED that the commission shall undertake a study of the conditions, needs, issues, and problems mentioned above or related thereto and recommend any actions or legislation which the commission deems necessary or appropriate. The commission may conduct such meetings at such places and at such times as it may deem necessary or convenient to enable it to exercise fully and effectively its powers, perform its duties, and accomplish the objectives and purposes of this resolution. The commission shall have the authority to call any party to testify and to require the attendance of witnesses and

the production of books, records, and papers. The commission shall be authorized to retain the services of individuals or firms as determined appropriate by the commission. The members of the commission shall receive the allowances authorized for legislative members of interim legislative committees. The funds necessary to carry out the provisions of this resolution shall come from the funds appropriated to the House of Representatives and Senate. The commission shall make interim reports to the General Assembly on or before January 15, 2008, as to the progress of the commission in identifying the difficulties in the state's deliverance of mental health services and developing an organizational plan for coordinating the state's various systems and the financial and staffing needs of these systems to assure a safe and secure system of services. The commission shall make a second interim report on or before January 15, 2009, as to anticipated initial implementation of action. It shall make a final report with a blueprint for action on or before June 30, 2009. The commission shall stand abolished on June 30, 2009.